

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

**JIMMY (BILLY) McCLENDON, et al.,**

*Plaintiffs,*

vs.

No. 6:95-CV-00024 JAP/KBM

**CITY OF ALBUQUERQUE, et al.,**

*Defendants,*

vs.

**E.M., R.L., W.A., D.J., P.S., and  
N.W. on behalf of themselves and  
all others similarly situated,**

*Plaintiff Intervenors.*

**UNOPPOSED MOTION BY THE PLAINTIFF INTERVENOR CLASS FOR  
APPOINTMENT OF ADDITIONAL COUNSEL**

COUNSEL for PLAINTIFF INTERVENORS moves the Court for an order appointing Katherine Loewe as counsel for the sub-class. In support of the motion, Plaintiff Intervenors state:

1. Katherine Loewe is qualified for appointment as class counsel under Federal Rule of Civil Procedure 23(g).
2. Ms. Loewe is currently an attorney at the Law Office of Ryan J. Villa, where she has worked since 2017. Both Ryan J. Villa and Kelly Waterfall of that firm are appointed counsel for Plaintiff Intervenors and Ms. Loewe works with them in their representation in this matter. Prior to joining Mr. Villa's firm, Ms. Loewe worked for Peter Cubra who has been counsel for the sub-class since 1995.
3. Ms. Loewe became familiar with *McClendon* as a law clerk for Mr. Cubra from 2009-2011, during which time she assisted in monitoring at the Bernalillo County Metropolitan Detention

Center (MDC). She began work representing Plaintiff Intervenor through Mr. Cubra's firm in 2016 and continues that work through present.

4. Ms. Loewe's practice is largely comprised of civil rights work related to correctional facilities and she serves as class counsel in *Duran v. Grisham*, 77-cv-721 KK/SCY, another long-running civil rights class action on behalf of incarcerated people.
5. Ms. Loewe has the time and resources to devote to the Plaintiff Intervenor class in this lawsuit.
6. Counsel for Defendants Bernalillo County and the City of Albuquerque have been contacted for their position on this motion and do not oppose it.
7. Counsel for Plaintiffs have been contacted for their position on this motion and do not oppose it.

For the foregoing reasons, Plaintiff Intervenor respectfully request that the Court enter an order appointing Katherine Loewe as attorney for the sub-class.

Respectfully submitted,  
THE LAW OFFICE OF RYAN J. VILLA

By: /s/ Ryan J. Villa  
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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2022, I filed the above styled pleading electronically through the CM/ECF system, which caused all parties or counsel entitled to notice to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Ryan J. Villa

RYAN J. VILLA